

COVER SHEET FOR PROPOSED INTERIM RULE

Proposed Interim Rule Number \_\_\_\_\_ Rule Number \_\_\_\_\_ Env-Ws 415

<p>1. Agency Name &amp; Address:</p> <p>Department of Environmental Services Water Division 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095</p>	<p>2. RSA Authority: RSA 485-A:6, VIII; RSA 485-A:17, I</p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption <u>  X  </u></p> <p>Readoption w/amendment _____</p>
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5. Short Title: Site Specific Rules

6. Contact person for copies and questions:

Name:	Gretchen Hamel	Title:	Administrator, Legal Unit
Address:	Department of Environmental Services 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095	Phone #:	603-271-3137

**\*\*PLEASE ATTACH THE FOLLOWING**, numbered to correspond to the numbers on this sheet (a separate sheet is not required for every item):

7. An explanation of why the interim rule is necessary, including documentary evidence to prove that the agency is acting in accordance with RSA 541-A:19, I, and is not adopting an interim rule solely to avoid the time periods imposed in RSA 541-A.

8. A description of the people, enterprises, and government agencies affected by the rule.

9. The fiscal impact statement prepared by the Legislative Budget Assistant.

**\*\*PLEASE SUBMIT 2 COPIES OF THIS COVER SHEET** and all attachments along with 2 copies of the interim rule to the Division of Administrative Rules. The rule must include an appendix containing the same information about statutes or federal regulations as in Item 10 of Appendix II-J

**\*\*PLEASE SIGN THE FOLLOWING:**

I, the adopting authority,\* hereby certify that the attached is an accurate statement explaining why an interim rule is necessary.

Date: September 17, 2004

Signature: \_\_\_\_\_

Name: Michael P. Nolin

Title: Commissioner

\*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

Attachment to Cover Sheet for Proposed Interim Rule:

7. An explanation of why the interim rule is necessary, including documentary evidence to prove that the agency is acting in accordance with RSA 541-A:19, I, and is not adopting an interim rule solely to avoid the time periods imposed in RSA 541-A.

Env-Ws 415 is being adopted as an interim rule in order to minimize the time between expiration of the existing rule and adoption of a new set of regular rules, as specifically authorized by RSA 541-A:19, I(d). The existing rules expire on October 1, 2004.

8. A description of the people, enterprises, and government agencies affected by the rule.

These rules impact any person, enterprise, or government agency wishing to undertake a project that requires a permit under RSA 485-A:17 relative to significant alteration of terrain. Examples of such projects include dredging, earth moving, excavating, timber harvesting operations, and mining.

9. The fiscal impact statement prepared by the Legislative Budget Assistant.

FIS Number 04:185 dated 09/17/04.

See attached.